

PUBLIC SCHOOLS
General



Education Council

School Age Attendance Requirements

Fact Sheet

January 2005

1. Between what ages are Florida children required to attend school?	Children between 6 and 16 years of age must regularly attend school in accordance with Florida law. A child must start school if he or she is or will be age 6 by February 1 of the school year. A child is not subject to compulsory school attendance upon attaining age 16 <u>and</u> filing a formal declaration, signed by the parent, of intent to terminate school enrollment with the <u>district school board</u> .
2. What are the age requirements for kindergarten attendance?	Children must have attained age 5 years on or before September 1 of the school year in order to be <u>eligible</u> for admission to public kindergartens during that school year under rules adopted by the district school board. There is no <u>compulsory attendance requirement</u> for <u>such children</u> .
3. How may school attendance be achieved?	Regular attendance can be achieved through attendance in a public school; parochial, religious, or denominational school; private school; home education program; or private tutoring program. (Refer to the School Choice and Truancy Fact Sheets.)
4. Are there any exceptions for the 6 - 16 years of age attendance requirement?	<p>Yes. There are several exceptions to the 6-16 years of age attendance requirement:</p> <ul style="list-style-type: none">• A parent may request and be granted permission for the absence of a student from school for religious instruction and religious holidays, according to the school board policy.• Certificates of exemption are authorized in certain circumstances. These certificates, issued by the superintendent pursuant to district school board rule, are valid for one year.• Children with disabilities who are at least three years old are eligible for admission to public special education programs and related services.• If a child moves from another state and does not meet the age requirements for entrance into Florida schools, the student is allowed to enter school provided that the student meets the age requirements of the state from which he or she has moved.• The Manatee County School Board was required by the 1999 Legislature to implement a pilot project to raise the <u>compulsory age of attendance</u> from 16 to 18. The school

	board was required to evaluate the impact of the pilot project on the school district's attendance and dropout rate, as well as associated costs (See Question 5).
5. What information was learned from the evaluation of the Manatee County School District Board compulsory attendance pilot project?	<p>A report evaluating the pilot project was submitted to the Legislature by the Manatee County District School Board in July 2001. The report documented the following:</p> <ul style="list-style-type: none"> • School attendance rates: Longitudinal district high school attendance rates increased from 91.8% in 1998-99 to 93.8% in 2000-01. • Dropout rates: Dropout rates decreased from 7.4% in 1998-99 to 3% in 2000-01. • Graduation rates: The district high school graduation rate increased from 56.2% in 1998-99 to 68.9% in 2000-01. • Costs: Funds were expended to establish the following initiatives: <ol style="list-style-type: none"> 1. Collaborative efforts between the school district, local law enforcement agencies, and the judiciary. 2. Additional staff (attendance officer, support staff, school social worker, school resource officers). 3. Truancy Intervention Programs Sweeps (TIPS). 4. Dropout Prevention/Alternative Education Programs. <p>Many of the costs were covered through Supplemental Academic Instruction and Safe School Categorical funds for alternative education programs. Other costs were paid from federal grants.</p> <p>The report concludes that increasing the age of compulsory school attendance from 16 to 18 does not, standing alone, result in success for those students who would have otherwise dropped out. Unless the needs of the at-risk students, who have traditionally dropped out of school prior to graduation, are also addressed, the report concludes that increasing the age of compulsory attendance will not help the students, the schools, or the community; will only serve to increase truancy and juvenile crime; and will create an atmosphere in the schools which will interfere with instruction and jeopardize the safety of students who want to learn. The report concludes that success comes from a comprehensive and collaborative effort to ensure that at-risk students are not only registered in school, but attend classes on a regular basis; receive appropriate support services; and are provided with early intervention for academic and social-emotional problems.</p>

<p>6. What are the applicable statutes and rules?</p>	<p>Section 1002.20(2) -- Compulsory school attendance. Section 1003.01(13), F.S. -- Regular school attendance. Section 1003.21, F.S. -- School attendance. Section 1003.23, F.S. -- Attendance records and reports. Section 1003.53, F.S. -- Dropout prevention and academic intervention. Section 1003.61, F.S. -- Manatee pilot project.</p> <p>Rule 6A-1.0985, F.A.C. -- Entry into kindergarten and first grade by out-of-state transfer students.</p> <p>Rule 6A-1.09514, F.A.C. -- Excused absences for religious instruction or holidays.</p>
<p>7. Where can I get additional information?</p>	<p>Florida Department of Education Bureau of Exceptional Education and Student Services (850) 245-0475</p> <p>Florida Department of Education Division of Public Schools Memorandum 98-131 A Technical Assistance Paper on School Attendance, April 8, 1998</p> <p>Florida House of Representatives Education Council (850) 488-7451</p>



Education Council Class Size

Fact Sheet

January 2005

1. What requirements for class size reduction were mandated by Florida voters in the 2002 General Election?

In the 2002 general election, Florida voters passed an amendment to section 1, article IX of the Florida Constitution. The amendment requires the Legislature to make adequate provision to ensure that, by the beginning of the 2010 school year, there are sufficient number of core curricula classrooms to reduce class size as follows:

Grade	Maximum No. Students
Pre-K thru Grade 3	18
Grade 4 thru Grade 8	22
Grade 9 thru Grade 12	25

The amendment expressly excludes extracurricular courses from the class size reduction mandates.

In 2003, the Legislature enacted section 1003.03, F.S., to implement the constitutional amendment mandating class size reduction in grades K-12. In accordance with the amendment, the legislation requires the districts to reduce the average number of students per classroom in each of the three grade groupings by a minimum of two students per year beginning in fiscal year 2003-2004. The minimum two students per year reduction in each grade grouping must continue each year until the constitutional class size maximums are achieved. The legislation also provides the Commissioner of Education with enforcement authority to ensure that the districts make appropriate efforts to comply with the class size reduction mandates. The legislation directs the Commissioner to measure district efforts to reduce class size in each of the three grade groupings as follows:

- Through fiscal year (FY) 2005-2006, the minimum two students per year reduction is calculated at the *district* level.
- In FYs 2006-2007 and 2007-2008, the minimum two students per year reduction is calculated at the *school* level.
- In FY 2008-2009, and thereafter, the minimum two students per year reduction is calculated at the *classroom* level.

2. What was Florida's policy

Even prior to the 2002 constitutional amendment mandating

<p>regarding class size reduction before the constitutional amendment?</p>	<p>class size reduction, legislative efforts were undertaken to reduce class size. The legislative focus was on class size reduction in the lower grades where scientific research indicated such efforts were most likely to produce gains in student achievement (See Question 7).</p> <p>In 1998, legislation passed which allowed one teacher to be used to meet what was then a goal of achieving a 1 to 20 teacher-student ratio in grades K through 3. The legislation also provided that if districts had a critically low-performing school (i.e., a school graded "D" or "F"), the required ratio was one teacher to 15 students. Additionally, for the purposes of receiving funding from the state budget, districts were required to give first priority to reduce class size to identified "D" and "F" schools; second priority to kindergarten and grade 1; third priority to grades 2 and 3.</p>
<p>3. How much funding has the state provided for class size reduction?</p>	<p>Money to reduce class sizes in the earliest grades was earmarked in the state budget between 1995 and 1998. The 1995 appropriation was \$40 million. In each of the next two years, the Legislature designated \$100 million statewide for class size reduction.</p> <p>In FY 1999-2000, the Legislature appropriated \$100 million in capital outlay funds for class size reduction and created a Supplemental Academic Instruction Categorical providing districts with \$527 million that could be used in a variety of ways to improve student performance, including class size reduction.</p> <p>In FY 2000-2001 and FY 2001-2002, the Legislature appropriated \$56,190,521 for class size reduction from federal money. The Legislature also provided the Department of Education with grant money to the Institute for School Innovation to continue a research study to determine the effect of class size on academic achievement in reading, writing, and mathematics. In these same years, the Legislature provided more than \$1.3 billion in the Supplemental Academic Instruction Categorical to assist students in gaining a year's worth of knowledge in a year's time. Districts could choose to use their portion of these funds in a variety of ways, including, but not limited to: modified curriculum, reading instruction, tutoring, after school instruction, mentoring, extension of school year, intensive skills development in summer school, and class size reduction.</p>

	<p>In FY 2003- 2004, in order to implement the constitutional amendment to reduce class size, the class size reduction operation categorical was established (s. 1011.685, F.S.). Funds appropriated in this categorical must be used to meet statutory class size reduction requirements; excess funds may be used for any lawful operating expenditure with a priority placed on increasing teacher salaries and implementing the teacher salary career ladder (s. 1012.231, F.S.). That same year the Legislature appropriated \$468,198,634 for operating purposes to reduce by the statewide district class size average by a minimum of two students per year in core curricula classes. The Legislature provided bonding authority for \$570 million to fund classroom construction and further assist in reducing class size. Finally, another \$30 million was appropriated to reward districts for past local efforts - such as $\frac{1}{2}$ cent sales tax, local government infrastructure tax, and voted millage - to fund construction.</p> <p>In FY 2004-2005, the Legislature appropriated \$978.8 million to fund operating costs for class size reduction. This figure includes \$468.2 million to maintain 2003-2004 requirements and \$510.6 million to meet 2004-2005 requirements. In addition, \$100 million was appropriated in a categorical to pay for facilities to reduce class size.</p>
<p>4. For purposes of the class size reduction mandates, what is meant by "core curricula courses" and "extracurricular courses"?</p>	<p>The 2002 constitutional amendment to reduce class size applies only to core curricula courses and expressly exempts extracurricular courses from the reduction requirements. However, the amendment failed to provide a definition for either "core curricula courses" or "extracurricular courses."</p> <p>In implementing the constitutional amendment, the Legislature provided limited definitions for the terms to be used for the sole purpose of designating classes that are subject to the maximum constitutional class size requirements. Section 1003.01(14), F.S., defines "core curricula courses" to mean those courses defined by the DOE as mathematics, language arts/reading, science, social studies, foreign language, English for Speakers of Other Languages, exceptional student education, and courses taught in traditional self-contained elementary school classrooms. Section 1003.01(15), F.S., defines "extracurricular courses" to mean all courses that are not defined as "core-curricula courses," which may include, but are not limited to, physical education, fine arts, performing fine arts, and career education.</p>

<p>5. How much information has been collected on the progress of Florida's class size reduction efforts?</p>	<p>The Florida Department of Education collected data on grades K through 3 class sizes for years 1994 to 1999 based on the districts' submissions to the DOE automated Student Information Data Base.</p> <p>Legislation passed in 1998 required DOE to conduct a complete study of the impact of the 1998-99 reductions in class size. The study was completed on March 3, 2000. Many of the schools that participated in the study had additional resources, staff development, supplemental teacher salaries, and other reform initiatives in place. Although the study reported high levels of satisfaction among principals and teachers, no statistical analysis of student achievement was performed.</p> <p>Beginning in November 2002, in anticipation of implementing the constitutional amendment to reduce class size, the DOE expanded its data collection efforts for information relating to both students and facilities. This data collection will assist the DOE in fulfilling its obligations to determine each district's compliance with the class size requirements of Ch. 2003-391, L.O.F. In accordance with the law, the DOE will calculate class size each year after the October student survey. The results will be posted on the DOE website. The 2003 district average class sizes are currently available.</p>
<p>6. What has been the experience of other states and countries in efforts to reduce class size?</p>	<p>Since the mid 1980s, 20 states have launched initiatives aimed at reducing class size, mostly in grades K-3. Some states and districts are finding that class size reduction is both difficult and extraordinarily expensive for the benefits received.</p> <p>For example, California's effort, started in 1996, to reduce classes to no more than 20 students in the lower grades cost more than \$1.5 billion a year for the first four years and led to critical shortages of qualified teachers, particularly in schools serving poor and minority students. In the first year of the California class size reduction program, approximately 20,000 new teachers were needed to accommodate the smaller class sizes, which prompted the governor to sign a bill relaxing teacher certification requirements. 30% of newly hired teachers statewide were uncredentialed. Two-thirds of those hired in Los Angeles did not possess teacher certification credentials. Additionally, veteran teachers left inner-city schools in droves, lured by the higher pay and better working conditions of suburban systems that suddenly had openings.</p>

	<p>California's class size reduction initiative provides an example of a state initiative that failed to provide conclusive evidence linking achievement gains to class size reduction as well as an example of the serious implementation problems. Preexisting problems involving teacher shortages and teacher quality took on crisis proportions.¹</p> <p>In Detroit, where the school district implemented a \$13.2 million program to reduce primary-grade class sizes in 2001, progress was hampered by shortages of both classrooms and teachers.</p>
<p>7. What is the relationship between class size and student achievement?</p>	<p>Class size, or the number of students under the direction of a single teacher for purposes of learning, has caused considerable discussion in recent years. More than 1,100 studies have examined the relationship between class size and student achievement, and the conclusions are mixed.</p> <p>A major 1997 research project by Dr. William Sanders, of the University of Tennessee Value-Added Research and Assessment Center, shows that class size has little effect on student performance and that the effect of the teacher is the single most important factor in student academic progress regardless of class size.</p> <p>A 1999 Pennsylvania State University Study conducted by Suetling Pong compared ten industrialized nations other than the U.S. and found that students in Australia, Flemish Belgium, and France performed significantly better in larger math classes. Class size had no effect on students in Canada, Germany, Iceland, South Korea and Singapore. Students in Japan, who consistently outscore U.S. students in math and science, frequently attend math classes of 40 or more students.</p> <p>Economists, such as Eric Hanushek, often contend that class size reduction as an educational reform is not cost effective, but is instead one of the most expensive education reforms for benefits gained; and no credible evidence exists that across the board reductions in class size boost student achievement. Hanushek argues for funneling the money spent on smaller classes into other areas that may have greater impact, like improving teacher quality.</p>

¹ Florida TaxWatch Research Report, October 2002.

	<p>Edward P. Lazear in "Smaller Class Size Isn't a Magic Bullet" states, "the primary theme of education reform should <i>not</i> be class-size reduction. Instead, the focus should be on improving teacher quality. A good teacher in a large class is more effective than a poor teacher in a small one."</p> <p>According to a 1998 article in <i>The Council of State Governments</i> by Chester Finn and Michael Petrilli, class sizes in the U.S. have been shrinking for decades - the 1998 average of 22 students per classroom was down from an average of 30-plus in the 1950s - with no commensurate gains in learning.</p> <p>Other research indicates some minor links between reduced class size and student performance in lower grades. The 1985 Tennessee State University STAR study (project STAR) randomly assigned and kept students in small (13-17 students) or large classes, with and without aides, through 3rd grade. Student achievement was measured at the end of each year. Some improvements were noted in student performance when class sizes were reduced to 15 students. Providing a teacher's aide in a class of 25 had no effect on student performance. The Project STAR data did not support overall reductions in class size.</p>
8. What are the applicable statutes?	<p>Section 1003.01(14), F.S. -- Definition of "core curricula courses."</p> <p>Section 1003.01(15), F.S. -- Definition of "extracurricular courses."</p> <p>Section 1003.03, F.S. -- Maximum class size.</p> <p>Section 1011.685, F.S. -- Class size reduction; operating categorical fund.</p> <p>Section 1013.735, F.S. -- Classrooms for Kids Program.</p> <p>Section 1013.737, F.S. -- The Class Size Reduction Lottery Revenue Bond Program.</p> <p>2003-2004 General Appropriations Act, Specific Appropriation 1A; Specific Appropriation 3C; Specific Appropriation 14F; Specific Appropriation 59A.</p> <p>2004-2005 General Appropriations Act, Specific Appropriation 6; Specific Appropriation 28A; Specific Appropriation 82.</p>
9. Where can I get additional information?	<p>Florida Department of Education School Business Services (850) 245-0406</p>

	<p>Florida Department of Education Publications <i>A Study of the 1998 Florida Maximum Class Size Act</i> Florida Department of Education Publications <i>Class Size for Grades K to 3, 1998-1999</i> The Florida Department of Education website: www.fldoe.org</p> <p>Florida House of Representatives Education Council (850) 488-7451</p>
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<p>1. Why is learning to read considered the foundation for learning?</p>	<p>A student must learn to read in order to be able to read to learn. Each student's progression from one grade to another is determined, in part, upon proficiency in <i>reading</i> and other subjects. It is the ultimate goal of the Legislature that the student read at or above grade level.</p> <p>Any student who still has a substantial reading deficiency at the end of third grade needs more time and additional intensive remedial instruction to acquire the fundamentals of the most basic skill of reading. A substantial reading deficiency, regardless of the reason that is causing it - even a learning disability, limited English proficiency, or a disadvantaged background - needs to be addressed and corrected before the student can be expected to successfully move on to the more difficult work of the higher grades.</p> <p>In fourth grade and beyond, the instructional focus shifts from learning to read to reading to learn -- text becomes substantially and progressively denser, syntax more complicated, vocabulary more sophisticated, comprehension more demanding, and the need for fluency more vital. Students need a sound foundation in reading for this more difficult work.</p>
<p>2. How does proficiency in reading impact student progression from one grade to another?</p>	<p>The school board, through the adoption of a student progression plan, must set specific levels of performance in reading and the other subjects for each grade level that includes the levels of performance on statewide assessments. A student who does not meet these levels must receive additional diagnostic assessments to determine the nature of the student's difficulty and areas of academic need.</p> <p>A school must then develop, in consultation with the student's parent, and implement an Academic Improvement Plan (AIP) designed to assist the student in meeting expectations. If a student has a deficiency in reading, the student's academic improvement plan (AIP) must identify:</p> <ul style="list-style-type: none">• The student's specific areas of• The desired levels of performance in these areas.• The instructional and support services to be provided.

	<p>Schools must also provide frequent monitoring of the student's. Districts must assist schools and teachers in implementing research-based reading activities that have been shown to be successful in teaching reading to low-performing students.</p> <p>Upon subsequent evaluation, if the deficiency has not been corrected, the student may be retained. The student must continue remedial or supplemental instruction until the expectations are met.</p>
<p>3. What specific provisions apply to students who exhibit a substantial deficiency in reading?</p>	<p>Any student who exhibits a substantial deficiency in reading, based upon locally determined or statewide assessments conducted in kindergarten or grade 1, grade 2, or grade 3, or through teacher observations, must be given intensive reading instruction immediately following the identification of the reading deficiency. The student's reading proficiency must be reassessed by locally determined assessments or through teacher observations at the beginning of the grade following the intensive reading instruction. The student must continue to be provided with intensive reading instruction until the reading deficiency is remedied.</p> <p>If the reading deficiency is not remedied by the end of third grade, as demonstrated by scoring level 2 or higher on statewide assessment test in reading for third grade, the student must be retained. The district school board may only exempt students from mandatory retention in third grade for "good cause." (See Question 6)</p>
<p>4. What are the parental notification requirements regarding identified reading proficiency?</p>	<p>Required Notice to Parents of Grade K-3 Students With Identified Reading Deficiencies</p> <p>A school must notify in writing the parent of any K-3 student who exhibits a substantial deficiency in reading. The notice must include:</p> <ul style="list-style-type: none"> • That the child has been identified as having a substantial deficiency in reading. • Description of current services provided. • Description of proposed supplemental instructional services and supports. • If deficiency is not remediated by the end of third grade, the student will be retained unless he or she meets one of the good cause exemptions. • Strategies for parents to use in helping their child succeed in reading. • FCAT is not the sole determiner of promotion and additional evaluations, portfolio reviews, and assessments

	<p>are available to assist parents and the school district in knowing when a child is reading at or above grade level and ready for promotion.</p> <ul style="list-style-type: none"> • District's specific criteria and policies for mid-year promotions. <p>The written notice must be written in terms understandable to the parent and describe the exact nature of the student's difficulty in learning and lack of achievement in reading. The parent must be consulted in the development of a detailed academic improvement plan (AIP) and informed that the student will be given intensive reading instruction until the deficiency is corrected.</p> <p>Required Notice to Parents of Grade 3 Students Who Are Retained</p> <p>Each school district must provide written notice to the parent of third grade students who are retained because his or her reading deficiency has not been remedied by the end of third grade. The notice must:</p> <ul style="list-style-type: none"> • State that the child has not met the proficiency level required for promotion • Include the reasons that the child is not eligible for a good cause exemption. • Include a description of proposed interventions and supports that will be provided to the child to remediate the identified areas of reading deficiency. • Give parents immediate notification of the student's reading deficiency. <p>Required Reporting to Parents of All Students, All Grades</p> <p>Each school board must annually report in writing to the parent of each student the progress of the student in achieving proficiency expectations in reading and certain other subjects, including results on the statewide assessment test. The evaluation of each student's progress must be based on the student's classroom work, observations, tests, district and state assessments and other relevant information.</p>
<p>5. What is meant by "good cause?"</p>	<p>Good cause exemptions from the third grade promotion requirements are limited to the following:</p> <ul style="list-style-type: none"> • Limited English proficient students who have had less than 2 years of instruction in an English for Speakers of Other Languages program. • Students with disabilities whose individual education plan indicates that participation in the FCAT is not appropriate.

	<ul style="list-style-type: none"> • Students who demonstrate acceptable performance on an approved alternative standardized reading assessment. • Students who demonstrate, through a student portfolio, that the student is reading on grade level. • Students with disabilities who participate in the FCAT, have an individual education plan or a Section 504 plan, have received the required intensive remediation in reading for more than two years but still demonstrates a deficiency in reading and was previously retained in Kindergarten, 1st grade, 2nd grade, or 3rd grade. • Students who have received the required intensive remediation in reading for two or more years but still demonstrate a deficiency in reading and who were previously retained in kindergarten, 1st grade, 2nd grade or 3rd grade for a total of 2 years. <p>Intensive reading instruction for students so promoted must include an altered instructional day based on an academic improvement plan that includes specialized diagnostic information and student specific research based reading strategies for low-performing readers.</p>
<p>6. What services are provided to third grade students who are retained?</p>	<p>The school district is required to provide intensive instructional interventions to remediate a student's identified areas of reading deficiency. The interventions must include:</p> <ul style="list-style-type: none"> • Effective instructional practices. • Participation in the district's summer reading camp. • Appropriate teaching methodologies. <p>For retained students who scored level 1 on the FCAT and who did not meet the criteria for one of the good cause exemptions, the law requires:</p> <ul style="list-style-type: none"> • Review of academic improvement plans (AIP) for all students to address additional needed supports and services and completion of a student portfolio • Provision of 90 minutes of daily uninterrupted scientifically-based reading instruction and other strategies. • Provision of either supplemental tutoring in scientifically research-based reading services including tutoring before and/or after school; a "Read at Home" plan outlined in a parental contract including participation in "Families Building Better Readers" parent workshops and regular parent-guided home instruction; a mentor or tutor with specialized reading training, or a "Reading Enhancement and Acceleration Development" (READ) Initiative. (See

	<p>Question 9.)</p> <ul style="list-style-type: none"> • Provision of a high-performing teacher as determined by student performance data and above-satisfactory performance appraisals. (See Question 7.) • Establishment at each school, where applicable, an Intensive Acceleration Class. (See Question 10.) • Reports to the State Board of Education, as requested, on the specific intensive reading interventions and supports implemented at the school district level. • Provision to a retained third grade student and has received intensive instructional services but is still not ready for grade promotion, the option of being placed in a transitional instructional setting. (See Question 12.)
7. What constitutes a high performing teacher?	<p>A high-performing teacher is identified by performance data for students the teacher has taught, as indicated by student work samples and/or test scores, and above satisfactory performance or the highest possible rating on the district performance appraisal. Since first year teachers do not have student performance data or prior year appraisals, which define high performing teachers, they are not allowed to be a teacher of retained third grade students.</p>
8. How does mid-year promotion work for students retained in third grade?	<p>The 2004 Legislature required school districts to implement a policy for the mid-year promotion of any student retained in third grade due to a reading deficiency and who does not meet a good cause exemption. Mid-year promotion is defined in law as the promotion of a retained student at any time during the year of retention once the student has demonstrated ability to read at grade level. To be promoted mid-year, the student must be able to demonstrate that he or she is a successful and independent reader, reading at or above grade level, and ready to be promoted to fourth grade. Methods of reevaluating retained students for the purpose of promotion include subsequent assessments, alternative assessments, and portfolio reviews. The student must:</p> <ul style="list-style-type: none"> • Demonstrate proficiency required to score at level 2 on the third grade FCAT • Demonstrate ability to read at grade level • Have made reasonable progress that is sufficient to master appropriate fourth grade level reading skills. <p>Students promoted after November 1 must demonstrate proficiency <i>above</i> that required to score at level 2 on the third grade FCAT.</p>
9. What is the READ	<p>The focus of the Reading Enhancement and Acceleration Development (READ) Initiative will be to prevent the</p>

Initiative?	<p>retention of third grade students and to offer intensive accelerated reading instruction to third grade students who failed to meet standards for promotion to fourth grade and to each K-3 student who is assessed as exhibiting a reading deficiency. The district must establish a (READ) Initiative, which must:</p> <ul style="list-style-type: none"> • Be provided to all K-3 students at risk of retention as identified by the statewide assessment system used in Reading First schools. • Be provided during regular school hours in addition to the regular reading instruction. • Provide a state-identified reading curriculum that has been reviewed by the Florida Center for Reading Research and assists the student in maintaining proficiency levels for the appropriate grade in all academic subjects.
10. What is an Intensive Acceleration Class?	<p>An Intensive Acceleration Class focuses on increasing a child's reading level at least two grade levels in one school year. Such a class must be offered by the district for students who score level 1 on the reading portion of the FCAT two years in a row. The class is for a student who would be spending his or her third year in third grade. Through the Intensive Acceleration Class, a retained third grade student could be promoted from third grade to fifth grade at the end of the school year. The intensive acceleration class must:</p> <ul style="list-style-type: none"> • have a reduced teacher-student ratio (See Question 11); • provide uninterrupted reading instruction for the majority of student contact time and incorporate opportunities to master the grade 4 Sunshine State Standards in other core subject areas; • use a reading program that is scientifically research-based and has proven results in accelerating student reading achievement within the same school year; • provide intensive language and vocabulary instruction using a scientifically research-based program, including use of a speech language therapist; • include weekly progress monitoring measures to ensure progress is being made; and • report to the Department of Education the progress of students in the class at the end of the first semester.
11. When is a reduced teacher-student ratio required?	<p>A reduced teacher-student ratio is required when a classroom is used for the majority of academic instruction that includes retained third grade students. Such a classroom must meet the state constitutional class size requirements of 18 students to 1 teacher. The classroom must also be smaller than the average class size of those comparable "traditional" third</p>

	grade classrooms in the school. The class size requirement also applies to the intensive acceleration class.
12. What is a transitional instructional setting?	A transitional instructional setting is designed to produce learning gains sufficient to meet fourth grade performance standards while continuing to remediate the areas of reading deficiency. The school district must provide the option of being placed in a transitional instructional setting to a student who has been retained in third grade and has received intensive instructional services but is still not ready for grade promotion.
13. What is the difference between an intensive acceleration class and a transitional instructional setting?	<p>The intensive acceleration class refers to <i>what</i> is being provided to the student. Such a class should have curriculum delivered at a faster pace than in a general educational classroom. The student in an intensive acceleration class has been exposed to third-grade content for several years.</p> <p>The transitional instructional setting refers to <i>where</i> instruction is provided to the student. This may be a setting with both third and fourth graders in the same classroom. Intensive acceleration can be provided within a transitional instructional setting. The intensive acceleration class and the transitional instructional setting are not mutually exclusive.</p>
14. What is being done in middle schools to focus on reading?	<p>The 2004 Legislature passed the "Middle Grades Reform Act", which requires that middle schools with fewer than 75% of its students reading at or above grade level, as measured by a student scoring at level 3 or above on the FCAT, must incorporate a rigorous reading requirement as part of their school improvement plan. The purpose of the requirement is to have students reading at or above grade level when they enter high school.</p> <p>The 2004 Act also requires certified staff members at middle schools to develop and administer a personalized middle school success plan for each student entering sixth grade who scored below level 3 in reading on the FCAT. The success plan must be implemented until the student completes the eighth grade or achieves a score at level 3 or above in reading on the FCAT.</p>
15. What is the federal <i>Reading First</i> initiative?	<p>The <i>Reading First</i> initiative is a central part of the federal <i>No Child Left Behind Act</i> (NCLB) of 2001. Reading First is an effort to bring early reading instruction across the country up-to-date with new knowledge gained in recent years from high-quality, scientifically based research on the way children learn to read.</p> <p>The statewide assessment system used in <i>Reading First</i> is</p>

	<p>comprised of screening, progress monitoring, and diagnosis. Each student should be screened at the beginning of the school year to determine if he or she is at risk of falling behind in reading.</p>
16. What is the <i>Just Read, Florida!</i> initiative?	<p><i>Just Read, Florida!</i> is a comprehensive coordinated reading initiative implemented in 2001 by executive order of Governor Jeb Bush aimed at helping every student become a successful, independent reader.</p>
17. What are the results of Florida's efforts to emphasize learning to read?	<p>Under the 2002 National Assessment of Educational Progress (NAEP), Florida is the only state to show significant improvement in fourth grade reading and has posted improvement in reading for nearly all student groups. Florida surpassed the national average in fourth grade reading. In fourth grade reading, Florida improved its score by four points (from 214 to 218), while the national score dipped slightly (from 217 to 216).</p> <p>In eighth grade reading, Florida's students slipped (from 261 to 257), as did the national average (from 263 to 261). However, the average score today in Florida remains higher than it was in 1998 (257 compared to 255), while the national average is exactly as it was in 1998 (261).</p>
18. What resources does the Legislature provide specifically for reading?	<p>The 2004 Legislature appropriated the following for reading programs or instruction:</p> <ul style="list-style-type: none"> • \$46,000,000 to continue "Just Read, Florida!" to achieve Florida's goal for all students to be reading on grade level or higher by 2012. • \$653,922,659 for Supplemental Academic Instruction, part of which is dependent upon the district's implementation of the statutorily required student progression plan and remedial instruction • \$25,000,000 for supplemental reading instruction to fund summer reading programs and other remediation activities. • \$52,500,432 spending authority for federal "Reading First" funds for reading programs to continue "Just Read, Florida!" to achieve Florida's reading goal for all students to be reading on grade level or higher by 2012 <p>The Legislature also requires district school boards to allocate remedial and supplemental instruction resources first to students who are deficient in reading by the end of third grade, and then to other students who fail to meet the established specific levels of performance and require remediation or retention.</p>

<p>19. What are the applicable statutes and rules?</p>	<p>Section 1002.20(11), F.S. - K-12 student and parent rights. Section 1003.41, F. S. -- Sunshine State Standards. Section 1003.415, F.S. - Middle Grades Reform Act. Section 1003.42, F.S. -- Required instruction. Section 1008.25, F.S. -- Public school student progression; remedial instruction; reporting requirement.</p> <p>Rule 6A-1.094221, Florida Administrative Code - Alternative Standardized Reading Assessment</p> <p>2003 General Appropriations Act, Specific Appropriation 3B</p> <p>2004 General Appropriations Act, Specific Appropriation 9; Specific Appropriation 13; Specific Appropriation 81; and Specific Appropriation 91..</p> <p>Executive Order Number 01-260, September 7, 2001—"Just Read, Florida!"</p> <p><i>Final Report of the Department of Education on Just Read, Florida!</i> Executive Order Number 01-260, February 15, 2002</p> <p>Department of Education Papers/Memos:</p> <ul style="list-style-type: none"> • Technical Assistance Paper Number: FY 2005-03 August 20, 2004 Third Grade Student Progression • August 10, 2004 Memorandum Third Grade Student Progression - Sample Parent Letters
<p>20. Where can I get additional information?</p>	<p>Florida Department of Education Just Read Florida! Office www.justreadflorida.com (850) 245-0503</p> <p>Florida House of Representatives Education Council (850) 488-7451</p>



1. What are instructional materials?

For purposes of state adoption, the term "instructional materials" is defined by statute as "items having intellectual content that by design serve as a major tool for assisting in the instruction of a subject or course." These items may be available in bound, unbound, kit, or package form and may consist of hardbacked or softbacked textbooks, consumables, learning laboratories, manipulatives, electronic media, and computer courseware or software. The term does not include electronic or computer hardware even if such hardware is bundled with software or electronic media. "Adequate instructional materials" are defined as "a sufficient number of textbooks or sets of materials serving as the basis for instruction for each student in the core courses of mathematics, language arts, social studies, science, reading, and literature, except for instruction for which the school advisory council approves the use of a program that does not include a textbook as a major tool of instruction."

2. What funding do districts receive for the purchase of instructional materials and how may the funds be spent?

Instructional materials are funded as a categorical item in the General Appropriations Act (GAA).

GAA--Instructional Materials Funding

Fiscal Year	Amount
1998-1999	\$183.9 Million
1999-2000	\$193.6 Million
2000-2001	\$192 Million
2001-2002	\$213.5 Million
2002-2003	\$227.9 Million
2003-2004	\$227.9 Million
2004-2005	\$234.4 Million

Historically, the Legislature has fully funded this categorical based on the recommendations of the Florida Association of District Instructional Materials Administrators (FADIMA).

A school district must use at least 50% of the instructional materials allocation for the purchase of instructional materials included on the state-adopted list. They may use up to 50% (the "flexible 50") for the purchase of instructional materials, including library and reference books and nonprint materials, not included on the state-adopted list and for the repair and

	<p>renovation of textbooks and library books.</p> <p>Within the first <i>two</i> years of the six-year adoption cycle, each school district must purchase <i>current</i> instructional materials to provide each K-12 student with a textbook or other materials as a major tool of instruction in core courses. The cost must not exceed the district's allocation for the previous two years. Exceptions to purchasing within the first two years may be made if a contract was in existence before April 1, 2000, or a purchase is related to student membership growth or for instructional materials maintenance needs. The cost of the required purchase each two years must not exceed the amount of the districts' allocation for the previous two years.</p>
3. What are the district's duties in providing instructional materials, and its role in evaluation, selection, and disposition of instructional materials?	<p>Each school board has the duty to provide adequate instructional materials for each child. The superintendent must keep adequate records and accounts, which are reviewed in a school district best financial management practices review conducted by the Office of Program Policy Analysis and Government Accountability (OPPAGA). The superintendent of each district must notify the Department of Education (DOE) by April 1 each year with: the state-adopted instructional materials that will be requisitioned and an instructional materials use plan, which will help determine if "adequate instructional materials" have been requisitioned.</p> <p>The principal of each school is responsible for: assuring that instructional materials are used to provide instruction to students; effectively communicating to parents how instructional materials are used to implement the curricular objectives; and collecting for lost or damaged books.</p> <p>Instructional materials that are unserviceable or surplus or no longer on state contract may be given to other education programs, teachers, students, or any charitable organization, governmental agency, private school, or state. The district may sell the materials to used book dealers, recycling plants, pulp mills, or other persons, firms, or corporations. Any money received goes to the district school fund for instructional materials. If the district cannot give or sell the materials, it may dispose of them according to school board policy.</p>
4. May school districts purchase used instructional materials?	<p>Yes. The Department of Education has an ongoing pilot program in Hernando, Pasco and Polk Counties that allows school districts in these counties to purchase quality used instructional materials that meet Sunshine State Standards.</p>

	<p>The Council for Education Policy Research and Improvement will conduct a study of the cost savings realized through the program and report its findings to the Legislature during the 2005 Session.</p>
<p>5. What is the state instructional materials adoption process?</p>	<p>In any given year, the DOE will select the approved instructional materials for one or more subject areas (e.g., history, science, reading, etc.) and will do this for the entire range of K-12. An Instructional Materials Committee (IMC) is appointed for each of the subject areas being selected that year. The Commissioner of Education appoints persons to serve on various state IMCs. Each IMC is composed of ten or more persons - at least 50% of the members are classroom teachers certified in the subjects under consideration, two supervisors of teachers, two lay citizens and one district school board member. (Specific criteria as defined in s. 1006.29, F.S.)</p> <p>The IMCs complete a training workshop and establish policies for the adoption of instructional materials. The DOE advertises in the <i>Florida Administrative Weekly</i> four weeks preceding the date on which the bids are due.</p> <p>Publishers then submit bids. The IMCs meet, review, and evaluate the instructional materials and bids. They then recommend materials for adoption. All state committees forward their recommendations to the Commissioner who makes the final decision regarding the recommended materials that are adopted. Following action by the Commissioner, the DOE notifies the school districts of the recommended materials.</p> <p>Publishers and manufacturers are required to: maintain for the first two years of the six year cycle sufficient inventory of core subject instructional materials to receive and fill orders for the required purchases; give an accurate account of who actually authored a book; provide corrections for errors in materials.</p>
<p>6. Where can I find the approved list of instructional materials?</p>	<p>The DOE annually releases a <u>Catalog of State-Adopted Instructional Materials</u>, available on the DOE website at www.firn.edu/doe/instmat.</p>
<p>7. What are the applicable statutes and rules?</p>	<p>Section 1001.42(7), F.S. -- Powers and duties of district school board; Courses of study. Sections 1006.28 - 1006.43, F.S. -- Instructional materials. Section 1008.35(2)(c) -- Instructional materials as part of</p>

Instructional Materials

	best financial management practices review. Chapter 2004-68, Laws of Florida -- Used Instructional Materials Pilot Program.
8. Where can I get additional information?	Florida Department of Education Bureau of School Improvement (850) 245-0425 www.firn.edu/doe/bin00015 Florida House of Representatives Education Council (850) 488-7451



Education Council

American Sign Language

Fact Sheet

January 2005

1. What is American Sign Language?	<p>The 2003 Legislature made the following findings, in s. 1007.2615(1)(a), F.S., regarding American Sign Language:</p> <ul style="list-style-type: none">• American Sign Language (ASL) is a fully developed visual-gestural language with a distinct structure;• ASL is recognized as the language of the American Deaf Community;• ASL is the fourth most commonly used language in the United States and Canada; and,• Thirty-three state legislatures recognize ASL as a language that should be taught in schools.
2. Did the Legislature change the law regarding American Sign Language?	<p>Yes. The 2003 law recognizes ASL as a course of study; allows public or private schools to offer ASL courses for foreign-language credit; establishes a task force to advise the Commissioner of Education on the development and maintenance of ASL courses, and requires licensing and certification of ASL teachers.</p>
3. Is American Sign Language taught in Florida schools?	<p>American Sign Language is an approved course and is listed in the Florida Department of Education Course Code Directory. In the 2002-2003 school year, there were approximately 9,000 students enrolled in ASL courses in Florida public schools. The courses have historically been offered at the secondary level. The new law authorizes ASL courses to be taught at the elementary and secondary level at both public and private schools.</p>
4. What are the Commissioner of Education's responsibilities regarding American Sign Language?	<p>The Commissioner of Education is required to appoint a 7-member task force. The task force must include 2 members from the state university system; 1 from private colleges or universities that offer a 4-year deaf education or sign language interpretation program; 2 representatives from the Florida American Sign Language Teachers' Association (FASLTA), and 2 from community colleges within the state with established Interpreter Training Programs (ITPs).</p>
5. What will the ASL task force do?	<p>The task force will develop and submit a report to the Commissioner of Education containing current information about ASL and guidelines for developing and maintaining ASL courses as part of the curriculum.</p>
6. Does the Department of Education certify American Sign Language teachers?	<p>Currently, there are no specific certification requirements for teachers of American Sign Language. A teacher may teach ASL at the secondary level with any valid Florida teaching certificate. Under the new law, the State Board of Education</p>

	<p>is required to adopt rules to establish licensing/certification standards to be applied for teachers of ASL no later than January 1, 2005. The standards are to be developed in consultation with the ASL Task Force. Teachers of ASL are required to be certified through FASLTA by January 1, 2006, and certified by the Department of Education (DOE) by January 1, 2008. DOE previously has proposed standards for educational interpreters. While the standards for individuals who interpret for deaf students are different from the content knowledge necessary for individuals who teach ASL, these standards may be used as the basis for establishing certification as an ASL Add-on Endorsement.</p>
<p>7. How does a teacher obtain certification from the Florida American Sign Language Teachers Association?</p>	<p>The American Sign Language Teachers' Association has established certification standards and has a process for evaluating teachers. The national certification process has 3 levels and provides a portfolio for current ASL teachers. First, a teacher must become a member of the National Association for the Deaf, then a member of the Florida Association of American Sign Language Teachers' Association, and also the American Sign Language Teachers' Association. Upon becoming a member of ASLTA, a teacher must first apply for provisional certification with ASLTA. The professional level of certification by ASLTA is the level considered by the DOE to meet the definition of Highly Qualified teacher, as required by the No Child Left Behind Act.</p>
<p>8. What are the applicable statutes and rules?</p>	<p>Section 1007.261(3), F.S. -- University Admission by demonstrated proficiency. Section 1007.261(9), F.S. -- Credit as Foreign Language - High School. Section 1007.2615, F.S. -- American Sign Language - Legislative Findings.</p> <p>Rule 6C-6.002 F.A.C. -- Entering Freshmen Rule 6C-6.004, F.A.C. -- Transfer Students</p>
<p>9. Where can I get additional information?</p>	<p>Florida Department of Education Bureau of Student Assistance (850) 245-0698</p> <p>Florida House of Representatives Education Council (850) 488-7451</p>



Education Council

English for Speakers of Other Languages (ESOL)

Fact Sheet

January 2005

<p>1. What is English for Speakers of Other Languages (ESOL); how and why was it established?</p>	<p>In 1990, to resolve a lawsuit against the state brought by a multiracial/ethnic coalition, a consent decree (known as the "META agreement") was entered into by the State Board of Education, the Department of Education (DOE), and then Governor Bob Martinez. Without the META agreement each of the 67 districts could have been participants in frequent and costly litigation related to the education of students whose native language is not English. This may have led to significant and onerous involvement by the Federal Office of Civil Rights in Florida school districts' endeavors to teach such students. Other states that have faced this problem have been forced to offer bilingual education, necessitating the hiring of teachers who speak every conceivable non-English language from Arabic to Urdu.</p> <p>The META agreement, as reflected in state law, establishes Florida's ESOL program. Pursuant to the agreement, the ESOL program provides for Limited English Proficiency (LEP) committees and plans, provides for student identification and assessment, and ensures equal access to appropriate programs, among other features. As a result of the consent decree and statutory law, Florida has made significant strides in educating LEP students and thus is far ahead of many states in implementing the new requirements of the federal No Child Left Behind Act. (Refer to the No Child Left Behind Fact Sheet.)</p>
<p>2. Is ESOL the same as bilingual education?</p>	<p>ESOL is not bilingual education. ESOL classes are only taught in English. Whereas bilingual education is one in which two languages are used to provide content matter instruction. Students participating in ESOL programs are instructed in listening, speaking, reading, and writing using only English.</p> <p>In August 2000, two years after Californians voted to end bilingual education and move to ESOL, student test results indicated startling improvement in test scores of students who switched from bilingual education to ESOL. Florida's experience also bears out the desirability of ESOL education. According to the DOE, longitudinal data in Florida indicate that LEP students who have exited the ESOL program continue to</p>

English for Speakers of Other Languages (ESOL)

	outperform monolingual English speakers in statewide assessments, especially on the FCAT Writing assessment.
3. How has the META agreement helped the school districts to comply with federal regulations?	<p>Under the META agreement, DOE's legal staff and its Office of Multicultural Student Education annually work with the attorneys from the Federal Office of Civil Rights to be sure the state is viewed as being in compliance. This protects the school districts from immense time and expense associated with potential litigation, and supplies the uniformity necessary to safeguard the equal protection rights of this vulnerable population of students.</p> <p><i>If new experimentation with English language immersion courses proves successful, Florida may find it worthwhile to revisit the 1990 META agreement.</i></p>
4. Is there a difference between teacher training and certification requirements in Florida compared to those in bilingual states?	<p>Yes. Mandated bilingual states like Texas and New York require teachers to have bilingual certification and ESOL certification, which means they have to be able to teach in the child's native language.</p> <p>Florida's requirements are ESOL endorsement and inservice training. Only 18 hours of ESOL training are required for P.E., art, and music. Sixty hours are required for social studies, history, and math. For language arts studies, 300 hours of ESOL training are required.</p> <p>The ESOL training includes:</p> <ul style="list-style-type: none"> • Methods of Teaching English to Speakers of Other Languages (ESOL). • ESOL Curriculum and Materials Development. • Cross-cultural Communication and Understanding. • Testing and Evaluation of ESOL. • Applied Linguistics. <p>State-approved teacher preparation programs must incorporate appropriate ESOL instruction so that participants graduate having completed the requirements for teaching LEP students in Florida public schools.</p> <p>Florida teachers who do their ESOL inservice training can bank their inservice training hours for recertification and may use them to re-certify in other subject areas, such as Sunshine State Standards and multicultural training.</p> <p>In addition to the ESOL Endorsement, subject area certification is also available in K-12 ESOL. As with other</p>

English for Speakers of Other Languages (ESOL)

	<p>subject areas, ESOL subject area certification may be obtained through the alternative certification processes now available to all teachers.</p>
<p>5. What are some of the other features of the ESOL program?</p>	<p>The META agreement features parental involvement, student classification and reclassification, student tracking, program outcome measures, and district monitoring. ESOL instruction is reported in the FEFP under a weighted cost factor. The ESOL budget includes parent training as well as teacher training. All schools in the state get copies of all program materials, consent decree requirements, and program strategies. In addition, school districts receive federal funds under Title III of the No Child Left Behind Act.</p> <p>In 2003, the Legislature passed a law providing students who enter a Florida public school from out of state or from a foreign country, during the 11th or 12th grade, do not have to spend additional time in school in order to meet Florida's high school course requirements if the student meets all the requirements of the school district, state, or country from which they transferred. Students not proficient in English receive immediate and intensive instruction in English language acquisition. To obtain a standard high school diploma, a transfer student must still earn a 2.0 GPA and pass the grade 10 FCAT or an alternate assessment.</p>
<p>6. Do LEP students participate in the FCAT?</p>	<p>Yes. Under Florida's education accountability system, s. 1008.22(3)(c) 6., F.S., requires that all students participate in the statewide testing program, except as otherwise prescribed by the Commissioner. Pursuant to the 1999 A+ Education Plan, schools are now graded on the basis of academic performance and receive letter grades (A-F). All students' test scores are used in the calculation of a school's grade. (Refer to the School Grading System and Florida Comprehensive Assessment Test Fact Sheets.)</p> <p>In 2003 the Legislature passed a law allowing students who have been enrolled in an ESOL program for less than two school years and have met all requirements for a standard high school diploma, except for passage of the grade 10 FCAT or alternative assessment, to receive immersion English language instruction during the summer following their senior year.</p>
<p>7. What are the applicable statutes and rules?</p>	<p>Section 1000.05, F.S. -- Educational Equity Act Section 1003.433, F.S. -- Learning opportunities for out-of-state and out-of-country transfer students and students needing additional instruction to meet high school graduation requirements.</p>

English for Speakers of Other Languages (ESOL)

	<p>Section 1003.56, F.S. -- English language instruction for LEP students.</p> <p>Section 1004.04(3)(c), F.S. -- ESOL requirements for state approved teacher prep programs.</p> <p>Section 1008.22(3)(c)6., F.S. -- Test modification for LEP students.</p> <p>Section 1011.62(1)(c)4., F.S. -- Weighted funding for ESOL students.</p> <p>Section 1012.585(3)(d), F.S. -- ESOL in-service points.</p> <p>Rule 6A-4.0244, F.A.C. -- Teacher certification specialization in ESOL</p> <p>Rule 6A-6.0900 through 6A-6.0909, F.A.C. --Programs/ exemptions for LEP students</p> <p>Rule 6A-6.09091, F.A.C. -- Accommodation on Statewide Assessments for LEP students</p>
<p>8. Where can I get additional information?</p>	<p>Florida Department of Education Bureau of Student Assistance (850) 245-0698 OMSLE@fldoe.org</p> <p>Florida House of Representatives Education Council (850) 488-7451</p>



Education Council

Exceptional Student Education (ESE)

Fact Sheet

January 2005

1. What is Exceptional Student Education?	Exceptional Student Education (ESE) programs serve students with special education needs (including but not limited to developmentally delayed, physically or mentally impaired, gifted, and hospitalized or homebound students). Student enrollment in ESE programs is one factor considered in determining what funding a school district receives. (Refer to the Florida Education Finance Program Fact Sheet.)
2. How are students determined to be eligible for ESE services?	<p>A student determined ESE eligible in Florida between the ages of three and twenty-one is entitled to receive educational services beginning with Pre-K; the only exception being gifted services which are for grades K-12. The free program provides special materials and educational services designed to meet the needs of the student. Some school districts have services for children younger than three.</p> <p>A referral form for evaluation is completed for a student who is thought by the parent, the student, a teacher, a doctor, or a social worker to need services. The school determines if an individual evaluation is needed. A student is determined eligible through the evaluation process, and a determination of whether the student meets State Board of Education requirements for ESE education is made through an eligibility-staffing meeting.</p> <p>A written description of the services to be provided is prepared in the form of an individualized educational plan (IEP). A family support plan (FSP) is prepared for children ages birth to two and may also be used through the age of five in lieu of an IEP. Gifted students generally receive an educational plan (EP). In all cases, parents review and agree to the educational services to be provided for the student.</p>
3. What does the individualized educational plan do?	The IEP is a written document that tells the parent, the teaching staff, and other school staff what special services and programs will be provided to the ESE student. The IEP is designed to meet the individual needs of the student. A student is not considered for placement in the ESE program until the parent and school district agree to the specifics of the IEP. Every attempt is made to include the parent in the writing of the IEP.

Exceptional Student Education (ESE)

<p>4. What programs are available for ESE students?</p>	<p>In Florida, a variety of different programs are available for students within ESE. Programs include those for students determined to be autistic, deaf or hard-of-hearing, developmentally delayed (for 3-5 year olds), dual sensory impaired, emotionally handicapped or severely emotionally disturbed, gifted, homebound or hospitalized, mentally handicapped, physically impaired, specific learning disabled, speech or language impaired, visually impaired, or needing physical and occupational therapy.</p>
<p>5. Can ESE students participate in the Opportunity Scholarship Program?</p>	<p>Yes. An ESE student with special needs who is eligible to receive services from the school district may participate in the Opportunity Scholarship Program and remains eligible to receive services from the school district as provided by federal and state law. (Refer to the Opportunity Scholarships Fact Sheet.)</p>
<p>6. What is the McKay Scholarships for Students with Disabilities Program?</p>	<p>The McKay Scholarships for Students with Disabilities Program expands statewide the school choice program originally created as a pilot program for Sarasota County in 1999 as part of the A+ education plan, Ch. 99-398, L.O.F. The scholarships are available for eligible students with disabilities to attend an eligible public or private school of their choice. Students with disabilities include K-12 students who are mentally handicapped, speech and language impaired, deaf or hard-of-hearing, visually impaired, dual sensory impaired, physically impaired, emotionally handicapped, specific learning disabled, hospitalized or homebound, or autistic. (Refer to the McKay Scholarships for Students with Disabilities Program Fact Sheet.)</p>
<p>7. How often are re-evaluations of a student's individual educational plan done?</p>	<p>A parent may request a review of the IEP if the student's needs change. At least once each year, the school will hold a meeting to discuss each student's progress and to review the IEP. A re-evaluation of each student for placement in ESE is done at least every three years. A re-evaluation can be made without parental consent, but the school must notify and report the results to the parent.</p>
<p>8. What are the applicable statutes and rules?</p>	<p>Individuals with Disabilities Education Act, Education for All Handicapped Children Act of 1975, [Public Law 94-142]</p> <p>Individuals with Disabilities Education Act Amendments for 1997, (20) U.S.C. Chapter 33, [Public Law 105-17]</p> <p>The Family Education Rights and Privacy Act (The Buckley Amendment)</p>

Exceptional Student Education (ESE)

	<p>Vocational Rehabilitation Act, Section 504</p> <p>Section 1000.01(4), F.S. -- Requirement for public schools to provide exceptional student education instruction.</p> <p>Section 1001.42(4)(l), F.S. -- Requirement to provide appropriate program special instruction.</p> <p>Section 1002.20, F.S. -- K-12 student and parent rights.</p> <p>Section 1002.22, F.S. -- Student records and reports; rights of parents and students; notification; penalty.</p> <p>Section 1003.21(1)(e), F.S. -- School attendance.</p> <p>Section 1003.43(4) and (11), F.S. -- General requirements for high school graduation.</p> <p>Section 1003.57, F.S. -- Exceptional students instruction.</p> <p>Rules 6A-6.03011, F.A.C. through 6A-6.03032, F.A.C. -- Special program rules for the various exceptionality categories</p> <p>Rule 6A-6.0311, F.A.C. -- Eligible special programs for exceptional students</p> <p>Rule 6A-6.0312, F.A.C. -- Special programs for students who are speech and language impaired</p> <p>Rule 6A-6.0331, F.A.C. -- Identification and assignment of exceptional students to special programs</p> <p>Rule 6A-6.03311, F.A.C. -- Procedural safeguards for exceptional students</p> <p>Rule 6A-6.0333, F.A.C. -- Surrogate parents</p> <p>Rule 6A-6.0334, F.A.C. -- Temporary assignment of transferring exceptional students</p> <p>Rule 6A-6.03411, F.A.C. -- Special program and procedures for exceptional students</p> <p>Rule 6A-6.0361, F.A.C. -- Contractual arrangements with nonpublic schools</p>
9. Where can I get additional information?	<p>Florida Department of Education Bureau of Exceptional Education and Student Services (850) 245-0475</p> <p>Office of Special Education and Rehabilitative Services 400 Maryland Avenue, S.W. Washington, D.C. 20202</p> <p>Office of Civil Rights 330 Independence Avenue, S.W. Washington, D.C. 20201</p>

Exceptional Student Education (ESE)

	Florida House of Representatives Education Council (850) 488-7451
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Education Council

Individuals with Disabilities Education Act (IDEA)

Fact Sheet

January 2005

1. What is the IDEA?	<p>Since 1975, the federal Individuals with Disabilities Education Act, or IDEA (formerly the Education for All Handicapped Children Act), has required states to provide all students with disabilities, ages three through twenty-one, with the right to a free appropriate public education (FAPE) in the least restrictive environment (LRE). Serving students in the "least restrictive environment" means that to the extent appropriate, students with disabilities are educated in the regular education setting with supports and services. A FAPE is defined as special education, support programs, and related services for disabled students that are provided at no cost to the parents. The IDEA assists states in meeting these requirements by providing for the funding of each state based on the number of identified disabled students residing within its borders.</p>
2. How are students determined to be eligible for IDEA services?	<p>A referral for evaluation of a student may be made by a student, student's parent, teacher, doctor, or social worker. The local school district must then evaluate the student, using multiple tools and methods, through a process that meets the IDEA's criteria for fairness, accuracy, and completeness. Only a student who has a disability which results in the need for special education is eligible under the IDEA.</p>
3. How do schools know what services to provide?	<p>Once a student is eligible under the IDEA, the state's local educational agency must arrange a meeting with the student's parents, teacher(s), evaluators, and other appropriate individuals to prepare an individualized educational plan (IEP). An IEP is a written document required by the IDEA which describes all of the services a particular student will need in order to get a FAPE. Parents have the right to participate in all decisions regarding the identification, evaluation, or placement of their disabled student. In addition to the services agreed to in the IEP, the district school superintendent must fully inform the parent of all services that are appropriate for the student's disability. Under the IDEA, eligible students must be re-evaluated every three years and their IEPs must be reviewed annually. (Refer to the <u>Exceptional Student Education Fact Sheet</u>.)</p>

Individuals with Disabilities Education Act (IDEA)

<p>4. Has the IDEA ever been changed?</p>	<p>In 1997, Congress amended the IDEA (June 4, 1997) to:</p> <ul style="list-style-type: none"> • incorporate many longstanding federal court interpretations regarding proper administration of the IDEA, and • include students with disabilities in national education reform efforts. <p>New federal regulations had to be written to implement the IDEA's 1997 amendments. These changes went into effect July 1, 1999.</p>
<p>5. What effect do the changes in the IDEA and its regulations have on Florida?</p>	<p>Florida had been doing many of the things the new federal IDEA regulations mandated. However, since the implementation of the regulation, Florida has addressed three main areas:</p> <p>Graduation: a regular diploma graduation is considered a change of placement after which the state will no longer have to provide the student with a FAPE. However, award of a special diploma or certificate of completion does not relieve the state from its duty to continue to provide a FAPE, until the student attains age 22.</p> <p>Alternate assessment testing: students who are unable to participate in state assessments must be evaluated through alternate methods to ensure that appropriate alternative education goals are met.</p> <p>Disciplinary activities: disabled students may be suspended for up to 10 days in each school year without provision of FAPE. The IDEA establishes procedures to suspend or expel disabled students whose misbehavior is determined not to be a manifestation of their disability.</p>
<p>6. What are the applicable statutes and rules?</p>	<p>Individuals with Disabilities Act Amendments of 1997, 20 U.S.C. sections 1400-1485. Regulations for the Individuals with Disabilities Act, 34 C.F.R. sections 300 & 303.</p> <p>Section 1000.01(4), F.S. -- Requirement for public schools to provide exceptional student education instruction.</p> <p>Section 1001.42(4)(l), F.S. -- Requirement to provide appropriate program of special instruction.</p> <p>Sections 1002.20(8), F.S. -- K-12 students and parent rights; students with disabilities.</p> <p>Section 1002.22, F.S. -- Student records and reports; rights of parents and students; notification; penalty.</p> <p>Section 1003.21(1)(e), F.S. -- <u>School attendance.</u></p>

Individuals with Disabilities Education Act (IDEA)

	<p>Section 1003.43(4) and (11), F.S. -- High school graduation requirements for exceptional students. Section 1003.57, F.S. -- Exceptional students instruction.</p> <p>Rule 6A-6.03011, F.A.C. through 6A-6.03032, F.A.C. -- Special program rules for the various exceptionality categories. Rule 6A-6.0311, F.A.C. -- Eligible special programs for exceptional students. Rule 6A-6.0312, F.A.C. -- Special programs for students who are speech and language impaired. Rule 6A-6.0331, F.A.C. -- Identification and assignment of exceptional students to special programs. Rule 6A-6.03311, F.A.C. -- Procedural safeguards for exceptional students. Rule 6A-6.0333, F.A.C. -- Surrogate parents. Rule 6A-6.0334, F.A.C. -- Temporary assignment of transferring exceptional students. Rule 6A-6.03411, F.A.C. -- Special program and procedures for exceptional students. Rule 6A-6.0361, F.A.C. -- Contractual arrangements with nonpublic schools.</p>
7. Where can I get additional information?	<p>Florida Department of Education Bureau of Exceptional Education and Student Services (850) 245-0475</p> <p>Office of Special Education and Rehabilitative Services 400 Maryland Avenue, S.W. Washington, D.C. 20202</p> <p>Florida House of Representatives Education Council (850) 488-7451</p>



Education Council

Family and School Partnership for Student Achievement

Fact Sheet

January 2005

1. What is the Family and School Partnership for Student Achievement Act?	The Family and School Partnership for Student Achievement Act (Act), passed by the 2003 Legislature, was created to provide parents with specific information about their child's educational progress; provide parents with comprehensive information about their choices and opportunities for involvement in their child's education; and, to provide a framework for building and strengthening partnerships among parents, teachers, principals, district school superintendents, and other personnel.
2. Why is it important for families and schools to work together?	Evidence continues to be positive and convincing that students make greater gains when schools engage families in learning. Research results in December 2002 by the Southwest Educational Development Laboratory show that programs and special efforts to engage families are related to strong and consistent improvement in academics. Also, students in schools with highly rated parent partnership programs made greater gains on state tests than those in schools with lower rated programs.
3. What are school districts required to do to engage families?	Many schools and school districts have great programs for involving parents that already go well beyond the requirements of the Family and School Partnership for Student Achievement Act. At a minimum, school districts are required to: <ul style="list-style-type: none">• Adopt rules that strengthen family involvement and family empowerment• Develop and disseminate a parent guide to successful student achievement, consistent with the guidelines developed by the Florida Department of Education (Department)• Develop and disseminate a checklist of parental actions that can strengthen parental involvement in their child's educational progress• Train teachers in working successfully with parents.
4. How will the Florida Department of Education help districts and schools to form meaningful partnerships with families?	Through its Office of Family and Community Outreach, the Florida Department of Education provides resources, training, and technical assistance for parents, volunteers, schools and communities to support a high quality education for children. Additionally, the Department will: <ul style="list-style-type: none">• Provide guidelines for a parent guide to successful

Family & School Partnership for Student Achievement

	<p>student achievement that describes what parents need to know about their child's educational progress and how they can help their child to succeed in school</p> <ul style="list-style-type: none"> • Provide a sample checklist for school districts to provide to parents to assist with each parent's involvement in their child's education progress • Provide a parent-response center to assist parents and families in answering questions and resolving issues related to their child's education.
5. What are some of the ways that parents make a difference?	<p>When parents talk to their children about school, expect them to do well, help them plan for college or a career, and make sure that out-of-school activities are constructive; their children tend to do well in school and in life. Students with involved parents, no matter what their income or background, are more likely to do better in school, stay in school longer, and like school more.</p>
6. What are the applicable statutes and rules?	<p>Section 1001.42, F.S. -- Powers and Duties of District School Board. Section 1001.51, F.S. -- Duties and responsibilities of District School Superintendent. Section 1001.54, F.S. -- Duties of School Principals. Section 1002.20, F.S. -- K-12 student and parent rights. Section 1002.23, F.S. -- Family and School Partnership for Student Achievement Act. Section 1003.33, F.S. -- Report cards - End-of-the-year status. Section 1008.25, F.S. -- Public school student progression; remedial instruction; reporting requirements. Section 1012.72, F.S. -- Dale Hickam Excellent Teaching Program. Section 1012.98, F.S. -- School Community Professional Development Act.</p> <p>Ch. 2003-118, L.O.F. -- Family and School Partnership for Student Achievement Act</p>
7. Where can I get additional information?	<p>Florida Department of Education Bureau of Family and Community Outreach (850) 245-0847 www.fldoe.org</p> <p>National Parent Information Network www.npin.org</p> <p>U.S. Department of Education - No Child Left Behind http://www/nclb.gov</p>

Family & School Partnership for Student Achievement

	<p>The Florida Partnership for Family Involvement in Education 3500 East Fletcher Avenue, Suite 225 Tampa, Florida 33613 (813) 558-1169 or (800) 825-5736 http://www.fndfl.org/partnership</p>
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	<p>Florida House of Representatives Education Council (850) 488-7451</p>
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<p>1. For which students do school districts provide transportation?</p>	<p>Each school district is required to provide transportation for students who meet one of the following criteria established by s. 1006.21, F.S., and Rule 6A-3.001 F.A.C.:</p> <ul style="list-style-type: none"> • the student lives two miles or more from school; • the student has a disability, regardless of distance from school; • the student is pregnant or a student parent, including the child of a student parent, and is enrolled in a teenage parent program; • the student is enrolled in a state pre-kindergarten disability program, regardless of distance from school; • the student is transported from one school to another to participate in an instructional program or service for vocational students, dual enrollment students, or students with disabilities; or • the student is in elementary school not to exceed grade six and the student is subjected to hazardous walking conditions according to s. 1006.23, F.S. <p>Florida's school districts operate approximately 14,500 school buses on a typical school day, transporting over 1,000,000 students to and from school and between schools.</p>
<p>2. What funding do school districts receive for transportation?</p>	<p>The 2004 Legislature appropriated \$440 million to school districts in order to fund transportation services. Each school district receives a portion of these funds from the Department of Education for the transportation of students in the district who are eligible for transportation. Each school district's allocation is calculated based on the membership of students to be transported according to s. 1011.68, F.S., multiplied by the transportation allocation per student.</p>
<p>3. Can school districts transport students other than those required by law?</p>	<p>Yes. School districts may transport students other than those required by law if they so choose. However, school districts will only receive state funding for those students they are required to transport.</p>
<p>4. Are school buses required to have safety belts?</p>	<p>School buses, purchased after December 31, 2000, used to transport public school students in grades pre-K through 12 must be equipped with safety belts or with any other restraint system approved by the Federal Government. These safety belts must also meet the standards required under s. 316.614, F.S. School buses, purchased before December 31, 2000, are</p>

	<p>not required to have safety belts. Elementary schools receive first priority in the allocation of school buses equipped with safety belts. Safety belt requirements only apply to public school buses.</p>
<p>5. What is a hazardous walking condition?</p>	<p>Section 1006.23, F.S., identifies a hazardous walking condition as walkways parallel to any road that students must walk along in order to go to and from school:</p> <ul style="list-style-type: none"> • if there is not an area adjacent to the road that is at least four feet wide with a surface for walking that does not require walking on the road. • Additionally, if the road is uncurbed with a posted speed limit of 55 miles per hour and the parallel walkway is not at least three feet from the edge of the road, at least four feet wide, and with a walking surface that does not require walking on the road. <p>The following exceptions apply regarding hazardous walking conditions on parallel walkways:</p> <ul style="list-style-type: none"> • the road is located in a residential area that has little or no transient traffic; • the road has a volume of traffic that is less than 180 vehicles per hour, per direction, during the time students walk to and from school; or • the road is located in a residential area and has a posted speed limit of 30 miles per hour or less. <p>Section 1006.23, F.S., also identifies a hazardous walking condition as walkways perpendicular to any road that students must cross in order to walk to and from school:</p> <ul style="list-style-type: none"> • if the traffic volume exceeds the rate of 360 vehicles per hour, per direction (including all lanes), during the time students walk to and from school and if the crossing site is uncontrolled which means where there is no crossing guard, traffic enforcement officer, or stop sign or other traffic control signal present. • if the traffic volume on such road exceeds 4,000 vehicles per hour through an intersection or other crossing site controlled by a stop sign or other traffic control signal, unless crossing guards or other traffic enforcement officers are also present during the times students walk to and from school.

<p>6. Who determines whether a perceived hazardous walking condition is an actual hazardous walking condition?</p>	<p>Section 1006.23, F.S., requires a perceived hazardous walking condition to be inspected by a representative of the school district and a representative of the state or local governmental entity where the perceived hazardous walking condition exists. If it is determined that a walking condition is hazardous to students by the superintendent and the state or local governmental entity, the findings must be reported to the Department of Education by the superintendent.</p>
<p>7. Are school districts authorized to transport anyone other than students?</p>	<p>Yes. School districts may use school buses for public purposes. Each school district may enter into agreements with the governing body of a county, municipality, state agency, nonprofit corporation, or nonprofit civic association to provide transportation for the following:</p> <ul style="list-style-type: none"> • the transportation disadvantaged, as defined in s. 427.011, F. S. • the elderly. • WAGES program participants, as defined in s. 414.0252, F.S. • school-age children attending activities sponsored by the Boy Scouts, Girl Scouts, 4-H Club, the Y.M.C.A., and other similar nonprofit associations. <p>Any agreement for the transportation of such individuals must provide for full reimbursement to the school district and full indemnification from liability.</p>
<p>8. What are the applicable statutes and rules?</p>	<p>Section 316.6145, F.S. -- Safety Belt Usage. Section 414.0252, F.S. -- Wages Program. Section 427.011, F.S. -- Transportation for Disadvantaged. Section 1006.21 - 1006.27, F.S. - Transportation. Section 1006.23, F.S. -- Hazardous Walking Conditions. Section 1011.68, F.S. -- Funds for Student Transportation. Section 1012.45, F.S. -- School Bus Driver Requirements.</p>
<p>9. Where can I get additional information?</p>	<p>Florida Department of Education School Transportation Management (850) 245-9795 www.fldoe.org</p> <p>Florida House of Representatives Education Council (850) 488-7451</p>



<p>1. What religious freedoms do public school students have?</p>	<p>Public school students have certain constitutionally protected religious rights. According to the "Religious Expression in Public Schools" guidelines promulgated by the United States Secretary of Education, these basic freedoms include the following:</p> <ul style="list-style-type: none">• Students have the right to pray individually or in groups or to discuss their religious views with their peers so long as they are not disruptive.• Students may express their religious beliefs in the form of reports, homework, and artwork, and such expressions are constitutionally protected. Teachers may not reject or correct such submissions simply because they include a religious symbol or address religious themes.• Students have the right to distribute religious literature to their schoolmates, subject to those reasonable time, place and manner, or other constitutionally acceptable restrictions imposed on the distribution of all non-school literature.• Student participation in before or after-school events, such as "see you at the pole" is permissible.• Students have the right to speak to, and attempt to persuade, their peers about religious topics just as they do with regard to political topics.• Student religious clubs in secondary schools must be permitted to meet and to have equal access to campus media to announce their meetings, if a school receives federal funds and permits any student non-curricular club to meet during non-instructional time.
<p>2. Is prayer allowed by statute in Florida's public schools?</p>	<p>Florida statutes allow for a moment of silence. Section 1003.45(2), F.S., provides, "The school board may provide that a brief period, not to exceed two minutes, for the purpose of silent prayer or meditation be set aside at the start of each school day or each school week in the public schools in the district."</p>
<p>3. What is the recent history of prayer legislation in Florida?</p>	<p>In the 1996 Legislative Session, the graduation standards bill included a provision to allow voluntary student-led prayer at graduations, sports events, and other noncompulsory middle school and high school assemblies. Only nonsectarian, nonproselytizing prayer could occur. In addition, school officials would be prohibited from participating in or</p>

	<p>influencing student decisions on prayer. The Governor vetoed this bill. A similar bill was filed in the 2002 Legislative Session but died in the Senate.</p> <p>The 2002 Legislature adopted legislation requiring the Department of Education to distribute each year to all district school board members, superintendents, school principals, and teachers the entire guidelines on "Religious Expression in Public Schools" published by the U.S. DOE.</p>
4. What is the recent history of court decisions regarding school prayer?	<p>In June 2000, the U.S. Supreme Court decided the case of <i>Doe v. Santa Fe Independent School District</i> and held that student-led, student-initiated prayer at <i>high school football games</i> is unconstitutional. In May 2001, the U.S. Eleventh Circuit Court of Appeals held in <i>Adler v. Duval County School Board</i> that a school board policy allowing student-led, student-initiated messages, including prayers, at high school graduation ceremonies was constitutionally permissible. In December 2001, the U.S. Supreme Court let stand this decision by the Eleventh Circuit.</p> <p>In June 2001, the U.S. Supreme Court also let stand the lower court ruling in <i>Chandler v. Siegelman</i>, which allowed students to participate in group prayers at school functions such as graduations. The lower court's ruling stated that courts could not prohibit genuinely student initiated religious speech at school events, nor could they impose restrictions greater than those placed on students' nonreligious speech.</p>
5. What is the Department of Education's role in ensuring that these religious freedoms are protected?	<p>Each year, the Department of Education is required to distribute to all district school board members, district school superintendents, school principals, and teachers the entire guidelines on "Religious Expression in Public Schools" published by the United States Department of Education.</p> <p>These guidelines are updated from time to time to reflect the most current <u>changes in case law</u>.</p>
6. Why did the United States Department of Education decide to promulgate the guidelines?	<p>In 1995, President Clinton asked the U.S. Secretary of Education and Attorney General to provide every public school district in the United States with a statement of principles addressing the extent to which religious expression and activity are permitted in public schools. The purpose of these guidelines was to end much of the confusion regarding religious expression in public schools that had developed over the years due to the many court decisions regarding state sponsored school prayer.</p>

7. What are the applicable statutes and rules?	Section 1002.205, F.S. -- Guidelines on Religious Expression Section 1003.45(2), F.S. -- Brief Meditation Period
8. Where can I get additional information?	Florida Department of Education Bureau of School Improvement (850) 245-0423 Florida House of Representatives Education Council (850) 488-7451

